

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VICKI PIONTEK  
24 WEST GOVERNOR ROAD  
HERSHEY, PA 17033

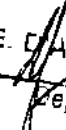
Plaintiff

Vs.

Valentine & Kebartas, Inc.  
15 Union Street

Lawrence, Massachusetts 01840,

Defendant

**FILED**  
HARRISBURG, PA  
JUN 17 2008  
MARY E. D'ANDREA, CLERK  
Per  Deputy Clerk

**COMPLAINT**

**INTRODUCTION**

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq. (hereinafter "FDCPA").

**JURISDICTION AND VENUE**

2. Jurisdiction of this Court arises under 15 U.S.C. 1692k(d), 28 U.S.C. 1337. Declaratory relief is available pursuant to 28 U.S.C. 2201 and 2202. Venue in this District is proper in that the defendants transact business here and the conduct complained of occurred here.

**PARTIES**

3. Plaintiff is Vicki Piontek, 24 West Governor Road, Hershey, PA 17033.
4. Defendant is: Valentine & Kebartas, Inc., 15 Union Street, Lawrence, Massachusetts 01840.

**COUNT ONE: Violation of Fair Debt Collection Practices Act**

5. Plaintiff is a consumer debtor as defined by the Fair Debt Collections Practices Act (FDCPA), 15 USC 1692 et. Seq.
6. Defendant is a debt collector as defined by the FDCPA, 15 USC 1692 et. seq.
7. At all times mentioned herein, Defendant was attempting to collect on an alleged consumer debt against Plaintiff.
8. Defendant purposely, knowing and intentionally violated the Fair Debt Collection Practices Act, 15 USC 1692, et. Seq. One June 5, 2008, Defendant left a misleading communication voicemail message on Plaintiff's voicemail implying that legal action had been filed against Plaintiff when in fact no such legal action had been filed.

### **DAMAGES**

9. \$1,000.00 statutory damages under the FDCPA 15 USC 1692k.
10. Attorney fees of \$250.00 at a rate of \$250.00 per hour. Services include but not limited to consultation with client, legal research, evidence compilation, drafting of complaint.
11. Plaintiff's attorney fees continue to accrue as the case move forward.
12. Plaintiff(s) demand(s) punitive damages against Defendant in the amount of \$10,000.00 for anxiety, harassment and intimidation because the acts committed by Defendant were willful, wanton and intentional.

**OTHER RELIEF**

13. Plaintiff also seeks an injunction against further unlawful collection activity.
14. Plaintiff seeks declaratory relief barring Defendants from contacting her directly when Defendants know that Plaintiff is represented by an attorney.
15. Plaintiff seeks such other relief as this honorable Court may deem just and proper.

Wherefore, plaintiff demands judgment against defendant in the amount of \$11,250.00. (actual damages, statutory damages, attorney fees and punitive damages). Plaintiff also seeks declaratory and injunctive relief, and such other relief as this Honorable Court may deem appropriate.

Vicki Piontek  
Vicki Piontek, Esquire  
Pro Se  
24 West Governor Road  
Hershey, PA 17033  
717-533-7472

6.16.08  
Date